

Before the
Federal Communications Commission
Washington, DC 20554

Deployment of Wireline Services Offering)	
Advanced Telecommunications Capability)	CC Docket No. 98-147
)	
Implementation of the Local)	
Competition Provisions of the)	CC Docket No. 96-98
Telecommunications Act of 1996)	
)	

**COMMENTS OF SPRINT CORPORATION ON
PETITION FOR RECONSIDERATION AND CLARIFICATION OF THE
COMPETITIVE TELECOMMUNICATIONS ASSOCIATION**

Sprint Corporation, on behalf of its operating subsidiaries, hereby submits its comments on the Petition for Reconsideration and Clarification, filed by the Competitive Telecommunications Association (“CompTel”), of the *Line Sharing Reconsideration Order* released in the above-captioned proceedings on January 19, 2001.¹

Sprint supports CompTel’s request for clarification that line splitting is permitted for CLECs purchasing UNE loops, as well as where CLECs make use of the UNE-platform.² Even though ¶¶2 and 16 of the *Line Sharing Reconsideration Order* references the Commission’s determinations with respect to line splitting in the context of carriers using the UNE-platform, Sprint believes it is clear from the text of the order that ILECs must allow line splitting even when the CLEC is simply purchasing the loop separately from other unbundled network elements. The Commission found broadly in

¹ Deployment of Wireline Services Offering Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order on Reconsideration in CC Docket No. 98-147, Fourth Report and Order on Reconsideration in CC Docket No. 96-98, FCC 01-26 (rel. Jan. 19, 2001) (“Line Sharing Reconsideration Order”).

² See CompTel Petition at 5-8.

¶18 that “incumbent LECs have a current obligation to provide competing carriers with the ability to engage in line splitting arrangements” without confining this obligation to instances where a competing carrier purchases UNE-platform. After quoting from the existing rules — rules that are not UNE-platform-specific, the Commission concluded (*id.*):

As a result, independent of the unbundling obligations associated with the high frequency portion of the loop that are described in the *Line Sharing Order*, incumbent LECs must allow competing carriers to offer both voice and data service over a single unbundled loop. This obligation extends to situations where a competing carrier seeks to provide combined voice and data services on the same loop, or where two competing carriers join to provide voice and data services through line splitting.

It is obvious from the discussion in ¶18 that the Commission’s rules apply these broad obligations on ILECs regardless of whether the CLEC that wishes to engage in line splitting is a purchaser of a single element or a combination of elements. In an ideal world, no further clarification would be necessary. But given the tendency of some RBOCs to seize upon any conceivable ambiguity in the Commission’s orders and rules to obstruct local competition, and in view of the fact that this issue arose in the specific context of the UNE-platform, the Commission should grant CompTel’s requested clarification so as to remove any conceivable doubt on this issue.

Sprint also supports CompTel’s requested clarification (at 8-9) that the costs of loop qualification for DSL service should be borne by the first carrier that wishes to qualify a given loop (be it the ILEC or a CLEC) and that ILECs should not be able to assess additional loop quantification charges in cases where the end user served by such a loop is considering a change in service providers (leading a second carrier to inquire whether the loop is DSL-capable). Again, CompTel’s point is so obvious that, in a well-

ordered world, no additional Commission clarification should be necessary.

Unfortunately, the world of local competition is not yet that well-ordered.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Juhnke", written over a horizontal line.

Jay Keithley

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April 12, 2001

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Comments of Sprint Corporation on Petition for Reconsideration and Clarification of The Competitive Telecommunications Association** in CC Docket Nos. 98-147 and 96-98 was sent by U.S. First Class Mail, postage prepaid, on this the 12th day of April, 2001 to the individuals on the following list:

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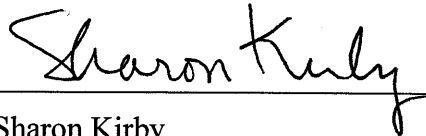
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Sharon Kirby